IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 1927 of 2005

Between:

Syed Sikandar Ali, S/o Late Syed Akbar Ali
R/o 8-2-413/1/A, Road No. 4, Banjara Hills, Hyderabad-34

..... PETITIONER

AND

1 The Municipal Corporation of Hyderabad rep by Commissioner Tank Bund,

Hyderabad
2 The Asst. Commissioner, Circle-V Municipal Corportion of Hyderabad

Khairatabad, Hyderabad
3 Abood Bin Mahfooz S/o
R/o 8-2-413/B, Road No.4 Banjara Hills, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or Direction more particularly one in the nature of Writ of mandamus declaring the action of the 1st and 2nd Respondents in not considering and in not initiating appropriate proceedings pursuant to the representation of the petitioner dt 29-01-2005 as arbitrary, illegal and contrary to Article 14, 21 of the Constitution of India and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.A.NARASIMHA REDDY

Counsel for the Respondent Nos.1 and 2: SMT.G.JYOTHI KIRAN

Counsel for the Respondent No.3: --

The Court made the following:

ORDER:

The only grievance of the petitioner in this writ petition is that the third respondent herein has been proceeding with the unauthorized constructions without obtaining the necessary sanction from the first respondent-Corporation and in spite of the fact that the petitioner made a representation on 29.01.2005 complaining about the said illegal constructions, the respondents 1 and 2 failed to take any action. Hence, this writ petition.

Having heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents 1 and 2, without expressing any opinion with regard to the correctness of the allegations made by the petitioner, the writ petition is disposed of with a direction to the first respondent to consider the representation made by the petitioner on 29.01.2005, which is filed at page-09 of the material papers along with the writ petition, and to pass appropriate orders in accordance with law after affording due opportunity to the third respondent to rebut the allegations made by the petitioner within a period of three weeks from the date of receipt of this order. No costs.

08.02.2005

Note: Issue CC in two days

(b/o)

VGB

To

1 The Commissioner, Municipal Corporation of Hyderabad, Tank Bund,

Hyderabad

2 The Asst. Commissioner, Circle-V Municipal Corporation of Hyderabad

Khairatabad, Hyderabad

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